

# State of South Dakota

SEVENTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2004

679J0799

HOUSE APPROPRIATIONS COMMITTEE ENGROSSED

NO. **SB 217** - 02/21/2004

Introduced by: Senators Symens, Brown, Jaspers, Kurtenbach, and Moore and  
Representatives Dykstra, Begalka, O'Brien, Olson (Mel), Peterson (Jim),  
Putnam, and Smidt

1 FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to construct a  
2 thermophilic anaerobic manure digestion system for the South Dakota Agricultural  
3 Experiment Station, to make an appropriation therefor, and to declare an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. The Board of Regents may contract for the construction, completion, furnishing,  
6 equipping, and maintaining of, including heating, air conditioning, plumbing, water, sewer,  
7 electric facilities, architectural and engineering services, asbestos abatement, and such other  
8 services as may be required to construct a thermophylic anaerobic manure digestion system for  
9 the South Dakota Agricultural Experiment Station the operates on its livestock research units  
10 near the South Dakota State University campus, located at Brookings, in Brookings County, at  
11 an estimated cost of one million seven hundred fifty thousand dollars.

12 Section 2. There is hereby appropriated one million seven hundred fifty thousand dollars  
13 (\$1,750,000) from federal funds awarded to the South Dakota Agricultural Experiment Station  
14 for the purpose of constructing the facility described in section 1 of this Act.



1       Section 3. The Board of Regents may accept, transfer, and expend any funds obtained for  
2       these purposes from federal sources, gifts, contributions, or any other source, all of which shall  
3       be deemed appropriated to the project authorized by this Act.

4       Section 4. The design and construction of the facilities approved by this Act shall be under  
5       the general supervision of the Bureau of Administration as provided in § 5-14-2. The  
6       commissioner of the Bureau of Administration and the executive director of the Board of  
7       Regents shall approve vouchers and the state auditor shall draw warrants to pay expenditures  
8       authorized by this Act.

9       Section 5. If it is determined that research conducted at the thermophilic anaerobic manure  
10      digestion system may have commercially valuable applications, and to the extent permitted  
11      under the terms of any grants or agreements funding such research, the Board of Regents will  
12      enter into an agreement with the Department of Tourism and State Development through its  
13      program for commercialization that will structure the assistance to be provided in the  
14      commercialization of the property.

15      Section 6. Notwithstanding the provisions of § 13-51-2, no general fund dollars, no  
16      educational facilities fund dollars, or any money appropriated for statewide maintenance and  
17      repair, may be used to finance the maintenance and repair of the facilities in this Act.

18      Section 7. Whereas, this Act is necessary for the support of the state government and its  
19      existing public institutions, an emergency is hereby declared to exist, and this Act shall be in  
20      full force and effect from and after its passage and approval.